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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,983	06/19/2005	Demetri Giannopoulos	US020603	8357

24737 7590 12/07/2007

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER
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SYED, NABIL H

ART UNIT	PAPER NUMBER
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2612

MAIL DATE	DELIVERY MODE
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12/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/539,983

Applicant(s)

GIANNOPOULOS ET AL.

Examiner

Nabil H. Syed

Art Unit

2612

*--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

THE REPLY FILED 19 November 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

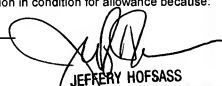
**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

See Note below.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_

13. ☐ Other: \_\_\_\_\_

  
 JEFFERY HOFSASS  
 SUPERVISORY PATENT EXAMINER  
 TECHNOLOGY CENTER

Continuation of 11, Note: Applicant's argument, that neither Grouev nor Morgan discloses that the control master and the lighting units all communicate via commonly-received wireless transmission." The Examiner respectfully disagrees. Grouev discloses that the operator communicate wireless with the ballast (light unit) using a remote controller and then the same remote controller is used to communicate with the controller hence control master and the lighting units all communicate via commonly-received (namely remote controller) wireless transmission (see col. 5, lines 53-67). Even Morgan discloses that the light units (24A-24D) and the controller associated with them received the wireless signal from the common controller (remote interface 56) (see paragraphs [0103-0104]).

As per applicant argument, "Grouev does not disclose that the handheld infra-red transmitter includes any control elements, or that any lighting units are associated with any such control elements." The Examiner respectfully disagrees. Grouev discloses that the operator of the remote controller triggers the remote to receive the light units ID's and then to transmit the ID's to the controller. Grouev remote has to have a control element (a button) to trigger the controller to receive and transmit. (Note: It is well know in the art that the remote control buttons are associated with different devices to assist th user to control multiple devices.) Morgan further discloses that the remote control interface 56 has one or more control elements (via selectors 60A-60D) associated with one or more light sources to control the light sources (see paragraphs [0118]-[0121]).

As per applicant argument, "Morgan does not disclose that the light sources include an adaptable device which selectively operates as either a control master device or a slave device. Nor is any such feature "inherent" in Morgan." This feature has been addressed in previous action mailed to the applicant. The Examiner holds his position regarding that argument.

As per applicant argument regarding claim 3, Morgan discloses that one light source coupled to the network 48 may act as a master to control one or more other slave light sources. Morgan further discloses that the controllers 34A-34D associated with the light sources 24A-24D are independently controllable using the remote interface, wherein the controllers 34A-34D receive the data intended for multiple controllers coupled to the network 48 but selectively "picks-off" particular data from the network intended for the one or more output ports (see paragraph [0104]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the remote interface 56 to send the data to one of the controllers 34A-34D to route and control the data to the other controllers in order to give the user full remote control of the lighting system.